

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

AARON L. TUCKER,

Plaintiff,

v.

Case No. 07-10786
Honorable Denise Page Hood
Magistrate Steven D. Pepe

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION &
GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Before the Court is Magistrate Judge Steven D. Pepe's Report and Recommendation ("R & R") [Docket # 13], which recommends that Plaintiff's Motion for Summary Judgment [Docket # 7] be denied and that Defendant's Motion for Summary Judgment [Docket # 12] be granted. Plaintiff did not file objections to the R & R.

If a party objects to specific portions of the R & R, a district court should "make a de novo determination of those portions." 28 U.S.C. § 636. If an R & R is not objected to, a district court need not review it by any standard. *See* 28 U.S.C. § 636; *see also Lardie v. Birkett*, 221 F. Supp. 2d 806, 807 (E.D. Mich. 2002). A district court "may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(B)(1).

The Court has reviewed the R & R and agrees with its reasoning and conclusions of law.¹

In light of the foregoing,

IT IS ORDERED that the R & R of Magistrate Judge Steven D. Pepe [Docket # 13] is

¹The Court notes, however, that it does not join in the characterization of the Administrative Law Judge's questions to the Vocational Expert as "foolishly obvious" (R & R at 13,) or "awkward and inartful." (R & R at 17.)

ACCEPTED and **ADOPTED** as this Court's findings and conclusions of law.

IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment [Docket # 7] is **DENIED**.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment [Docket # 12] is **GRANTED**.

S/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: March 28, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 28, 2008, by electronic and/or ordinary mail.

S/William F. Lewis
Case Manager